UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,969	04/11/2001	Michael L. Obradovich	42254/DMC/C685	3844

			EXAMINER
23363	7590	12/09/2004	NGUYEN, LEE

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ART UNIT	PAPER NUMBER
2682	

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/833,969	OBRADOVICH, MICHAEL L.
	Examiner	Art Unit
	LEE NGUYEN	2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 August 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 7-28* is/are pending in the application.

    4a) Of the above claim(s) *2,4,10-12 and 17-26* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,5,7-9,13-16,27 and 28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This action is responsive to the communication filed 08/09/2004.

Claims 2, 4, 10-12, 17-26 have been withdrawn. Claim 6 was

canceled. Claims 1, 3, 5, 7-9, 13-16, and 27-28 remain in prosecution.

Information Disclosure Statement

Applicant is reminded that the IDS filed 08/09/2004 is duplicated with

the IDS filed 08/22/2202, which was considered by the examiner in the

office action mailed 05/28/2004.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the

basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 3, 5, 7-9, 13-16 and 27-28 are rejected under 35 U.S.C.

103(a) as being unpatentable over Geiger et al. (US 6,377,810) in view of

Strunk et al. (US 2002/0068551).

Regarding claim 1, Geiger teaches a location relevant server system

comprising: a server 20 (fig. 1) receiving information indicating a location of

a mobile communication device, the server being connected to a network

22 (col. 2, 32-38); memory 21 accessible to the server 20, the memory

being associated with a mobile communication device 15, the memory

storing information relating to a user of the mobile communication device,

the memory including data concerning the location of the mobile

communication device (col. 2, 38-44, col. 4, 40-44 and col. 5, line 7 and

lines 23-25, see location information update and time constrain); wherein

the server executes a program allowing access to the memory storing

information relating to the user of the mobile communication device, the

program allowing different requestor different access to the memory based

on the identity of the requestor (col. 3, 30-50, col. 4, 45-67). Geiger fails to

teach that the memory 21, in addition to the location of the mobile

communication device, trivial data such as data concerning establishment

of communication with the mobile communication device is also included.

Strunk teaches that data concerning establishment of communication with

the mobile communication device such as contact information email, fax,

individuals can be stored in a contact database (see [0006] through [0021]).

It would have been obvious to one of ordinary skill in the art at the time the
invention was made combine Strunk with Geiger so that the caller can
contact the callee via alternate means.

Regarding claim 3, Geiger teaches a method of providing contact
information regarding a user, the method comprising: allocating a user-
specific space in memory 21 accessible over a computer network 22 to a
specific user 15-17 (figs. 1, 4); associating a mobile communication device
with the user (col. 2, 32-38); determining a location of the user by receiving
location information provided by a mobile communication device(col. 2, 32-
38); storing data indicative of the location of the user in the use-specific
space (col. 2, 32-38); receiving an access list of possible requesters of the
data in the user-specific space and providing the data indicative of the
location of the user to possible requesters on the access list (col. 4, lines
26-40 and lines 57-66). Geiger fails to teach receiving additionally trivial
data regarding the user; storing the additionally trivial data regarding the
user in the user-specific space and providing the data indicative the
additional trivial data regarding the user to possible requesters on the
access list. Strunk teaches that data concerning establishment of

communication with the mobile communication device such as contact

information email, fax, individuals can be stored in a contact database (see

[0006] through [0021]). It would have been obvious to one of ordinary skill

in the art at the time the invention was made combine Strunk with Geiger

so that the caller can contact the callee via alternate means.

Regarding claim 5, Geiger teaches a location relevant server system

comprising: a personal communication device (PCD) 15-17 (figs. 1 and 4)

comprising a GPS receiver 17 and wireless communication capability

(transceiver); a GPS server 20 receiving information indicating a location

and unit identifier associated with the PCD (col. 2, 17-44); the GPS server

20 providing the PCD location and the unique identifier associated with the

PCD to an application server 21 (col. 2, 38-44); the application server 21

configured to execute a program upon receiving the location and the

unique identifier information associated with the PCD to a update a user

specific data space with a current location and the unique identifier

associated with the PCD (col. 2, 38-44, col. 4, 41-44); the application

server 21 further configure to allow different users different access to the

application server 21 based on the identity of a user (col. 2, 38-44 and col.

4, 40-44). Geiger fails to teach that the application server is further configured to store trivial information concerning an individual associated with the PCD in the user specific data space. Strunk teaches that data concerning establishment of communication with the mobile communication device such as contact information email, fax, individuals can be stored in a contact database (see [0006] through [0021]). It would have been obvious to one of ordinary skill in the art at the time the invention was made combine Strunk with Geiger so that the caller can contact the callee via alternate means.

Regarding claim 7, the combination of Geiger and Strunk also teaches that the application server provide information concerning the individual to a requester (see [0009] of Strunk).

Regarding claim 8, the combination of Geiger and Strunk also teaches that the application server is configured to modify data in the user specific data space (col. 4, lines 41-44 of Geiger).

Regarding claim 9, the combination of Geiger and Strunk also teaches

contact information regarding the individual (see [0021] of Strunk).

Regarding claim 13, the combination of Geiger and Strunk also teaches

that the GPS server 20 is configured to send PCD locations and identifiers

to the application server 21 (col. 2, 38-44 of Geiger).

Regarding claim 14, the combination of Geiger and Strunk also teaches

that the application server is configured to provide different information

concerning the individual to the different requesters (see [0017] and [0021]

of Strunk).

Regarding claim 15, the combination of Geiger and Strunk also teaches

that the user specific data space stores contact information regarding the

user associated with the PCD (see [0017] and [0021] of Strunk).

Regarding claim 16, the claim is interpreted and rejected for the same

reason as set forth in claim 5. Geiger also teaches the Internet in figure 24.

Regarding claims 27-28, the combination of Geiger and Strunk also
teaches the trivial phone, fax and e-mail information (see [0021 of Strunk).

Response to Arguments

3.   Applicant's arguments with respect to claims 1, 3, 5, 7-9, 13-16 and
27-28 have been considered but are moot in view of the new ground(s) of
rejection.

Any inquiry concerning this communication or earlier communications
from the examiner should be directed to LEE NGUYEN whose telephone
number is (703)-308-5249. The examiner can normally be reached on 8:00
AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the
examiner's supervisor, VIVIAN CHIN can be reached on (703) 308-6739.
The fax phone number for the organization where this application or
proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system. Status

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system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center

(EBC) at 866-217-9197 (toll-free).

LEE NGUYEN   12/6/04
Primary Examiner
Art Unit 2682